

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
April 1, 2008**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chairperson
Woody B. Hanes, R.N., M.S.N., F.N.P.

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director, Medication Aide Registry Manager

OTHERS PRESENT: Tammie Jones, Adjudication Specialist
Cecile Custer, Senior Investigator

**CONFERENCES
SCHEDULED:** **Esther Thaxton, R.N. Reinstatement Applicant 0001-142557**
Ms. Thaxton appeared.

CLOSED MEETING: Ms. Hanes moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 10:20 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Thaxton. Additionally, Ms. Hanes moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 10:50 A.M.

Ms. Hanes moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Ms. Hanes moved to issue an Order to deny Esther Thaxton's petition for reinstatement of her license to practice as a registered nurse in Virginia.
The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Thaxton unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Thaxton within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

Ms. Custer left the meeting.

CONFERENCES
SCHEDULED:

Sharon Jackson, R.N. Reinstatement Applicant 0001-152982
Ms. Jackson appeared.

CLOSED MEETING:

Ms. Hanes moved that the Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 11:20 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Jackson. Additionally, Ms. Hanes moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:25 A.M.

Ms. Hanes moved that the Informal Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Hanes moved to issue an Order to reinstate the license of Sharon Jackson to practice as a registered nurse, and issue an unrestricted license.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Jackson unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Jackson within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

RECESS:

The Board recessed at 11:25 A.M.

RECONVENTION:

The Board reconvened at 12:40 A.M.

CONFERENCES
SCHEDULED:

Joseph Masci, R.N. Reinstatement Applicant 0001-157820
Mr. Masci did not appear.

CLOSED MEETING:

Ms. Hanes moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 1:25 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Masci. Additionally, Ms. Hanes moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 1:45 P.M.

Ms. Hanes moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Hanes moved to issue an Order to reinstate the license of Joseph Masci to practice as a registered nurse contingent upon verification of entry into a monitoring contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Masci unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Masci within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Deborah L. Holliday, L.P.N. Reinstatement Applicant 0002-053623

Ms. Holliday appeared.

CLOSED MEETING:

Ms. Hanes moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 2:38 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Holliday. Additionally, Ms. Hanes moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 3:10 P.M.

Ms. Hanes moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Hanes moved to issue an order to reinstate the license of Deborah Holliday to practice as practical nurse contingent upon verification of entry into a monitoring contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Holliday unless a written request to the Board for a

formal hearing on the allegations made against her is received from Ms. Holliday within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

ADJOURNMENT:

The Board adjourned at 3:10 P.M.

Brenda Krohn, R.N., M.S.

Deputy Executive Director, Medication Aide Registry Manager

VIRGINIA BOARD OF NURSING
INFORMAL CONFERENCE COMMITTEE
April 1, 2008

TIME AND PLACE: The meeting of the Informal Conference Committee of the Board of Nursing was convened at 10:50 A.M., in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chairperson
Woody B. Hanes, R.N., M.S.N., F.N.P.

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director, Medication Aide Registry Manager

OTHERS PRESENT: Tammie Jones, Adjudication Specialist

CONFERENCES SCHEDULED: **Georgia Aryee, L.P.N. Applicant**
Ms. Aryee appeared, accompanied by Rex Anson, brother.

CLOSED MEETING: Ms. Hanes moved that the Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 12:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Aryee. Additionally, Ms. Hanes moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 12:40 P.M.

Ms. Hanes moved that the Informal Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Ms. Hanes moved to issue a recommendation to the full Board of Nursing to deny Georgia Aryee's application to take the NCLEX-PN examination.
The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Aryee unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Aryee within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

ADJOURNMENT: The Board adjourned at 12:40 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director, Medication Aide Registry Mangers

**VIRGINIA BOARD OF NURSING
FORMAL HEARING
April 1, 2008**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on April 1, 2008 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS

PRESENT: Brenda Hale, R.N., Secretary
John M. Horn, L.P.N.
Patricia C. Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.
G. Maxine Ponn, L.P.N.

STAFF PRESENT: Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry Manager
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline
Amy Davis, Administrative Assistant
Donna Lee, Administrative Assistant (joined later)

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

ESTABLISHMENT OF A QUORUM: With six members of the Board present, a quorum was established.

FORMAL HEARING: **Theresa Buchanan, R.N. 0001-124274**
Ms. Buchanan appeared, represented by Margaret Hardy, Attorney.

Emily Field, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

Sherri Harrell, Clinical Secretary, Carilion New River Valley Medical Center testified by telephone. Marla Smith, R.N., Carilion New River Valley Medical Center; Kristie William, R.N. were present and testified.

RECESS: The Board recessed at 10:15 A.M.

RECONVENTION: The Board reconvened at 10:30 A.M.

Sandy Sayre, R.N., Carilion Roanoke Memorial Hospital; Tammy Carter, Unit Secretary, Carilion Roanoke Memorial Hospital; Tina Williamson, R.N., Carilion Roanoke Memorial Hospital; and James Wall, Senior Investigator, Department of Health Professions were present and testified.

RECESS: The Board recessed at 12:05 P.M.

RECONVENTION: The Board reconvened at 1:05 P.M.

Ms. Davis left the meeting and Ms. Lee joined the meeting.

Tracy Ziles, R.N., former co-worker at Carilion Roanoke Memorial Hospital; and JoAnne Newcombe, R.N., Nurse Manager at various nursing facilities were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 3:46 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Buchanan. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:55 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Piersall moved that the Board of Nursing to dismiss the case against Theresa Buchanan due to insufficient evidence of a violation of law or regulation governing nursing practice.

The motion was seconded and carried. Ms. Piersall, Ms. Ponn, Ms. Hale and Mr. Horn were in favor of the motion. Ms. Lane and Ms. Lindsay opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 3:56 P.M.

Brenda Hale, R.N
Secretary